

The regular meeting of the Town of Jay Zoning Board was held at 6 p.m. on Monday September 9, 2024, at the Jay Town Hall.

Zoning Board Members Present:

Peter Fina, Chairman
Dianne Laplante, Zoning Administrator
Liz Sargent, Board Clerk
Earline Morse
Nick Perrault
Kim Kreig
Spencer Berenberg, Alternate

Guests Present:

Bill Haynie, Raymond and Brenda Deslandes, Alison Low, Hailey Morse, Jonas Philhower, Jeff Morse, Tara Morse.

The following are the unofficial recorded minutes until approved by the board:

1. Peter called the meeting to order at 5:42 p.m.
2. **Additions or Deletions to the Agenda:** None
3. **Public comment period:** None
4. **Review and Approve the minutes:**
Motion made by Earline to approve the minutes from August 5, 2024. Seconded by Nick. The board approved the minutes unanimously.
5. **Review Town Plan:**
Peter introduced Alison Low from NVDA who came to discuss and provide feedback on the Town Plan survey. Alison asked how we were going to distribute the survey, Peter responded that we would make it available on the town website and our mailing list. He mentioned we will be offering a drawing with multiple prizes being donated. Peter said they could remain anonymous and still enter their name for the prize.
Alison asked what platform we would be using. She also said they have used Google Forms as it is free. Kim stated we had considered Survey Monkey as it was the only one, we knew about. Alison said after a certain number of surveys it is no longer free and we would have to pay. With Google Forms you can check certain demographics and see what their response is.
The major question Alison had was from Question 10-13 which pertain to feedback on bylaws which most towns people are not familiar with, she offered different suggestions. She stated she is willing to meet with a couple people over Zoom which Peter and Kim volunteered to work on the survey to set up a draft. She suggested having the demographics at the beginning of the survey.
Spencer asked if breaking the questions down into smaller questions with more detail is what Alison was suggesting, which Alison agreed.
Alison said question 20 maybe be a little more detailed like adding sidewalks, trails etc. Set up goals and strategies to draw people out more. She recommended grouping the questions

that are similar like housing, land use questions etc. Alison concluded that Zoning is doing a great job.

6. **Zoning Administrators Report:**

- a. Rene and Felicia Piette on Gendron Road are requesting a modular home on 50+ acre property. They have a home and workshop with an apartment above where their granddaughter lives. Dianne approved the prefab home with a mound system. Dianne is asking if they must tear down the existing home which they planned for their daughter to live in and they would live in the new prefab home. Peter said it looks like they will have 2 accessory buildings and the main house. He said Dianne should research this more with the state, a PUD was mentioned.
- b. Portland Pipeline double billed; Dianne is researching this. Peter said zoning does not decide on this.
- c. Vermont Land Trust sold land to Summerset Investment who was sent a tax bill which they never responded to. Peter said zoning does not decide on this.
- d. On Route 242 is a 4-unit condo standalone, a green building in Rural 1. They want to build a shed in the back. They have 2.4 and need 3 acres for Rural 1. Discussed with Matt Krajieski, VP of Customer Services @ New England Municipal Consultants, LTD and it's not a PUD (planned unit development). Peter in his opinion said this is a preexisting, non-conforming lot with preexisting structure. It would be a required public hearing in front of the board to put the shed up upon approval. Matt said per Dianne that another condo could be added. Peter again said it would be a required public hearing for a Conditional Use. He also suggested checking with the State.
- e. Nate Tylenia purchased 38 acres at Space Research Center on Journey's End Road and wanted to know if he needed a Change of Use, Matt said no and the right of way goes through the property, Matt handled this also. Peter said it's not a good idea to give advice on the right of way.
- f. Coleen Maze wants a prefab shed on Woodland Drive on 10 acres. Dianne is waiting for the application to be filled out. Surveyor said adjoining property owner is concerned she is building on his property. Peter suggested not to proceed any further until the property boundaries are identified. He also said a survey will be needed to identify the property lines.

7. **Public Hearing:** Commenced at 6:15 p.m.

Dianne stated that Jonas and Jeff submitted an application for building 1 storage unit on 4.6 acres located on Cross Road. The storage unit is 150 feet long by 30 feet wide and 10 feet high. Peter recapped by saying it's in Rural District 1 which allows dwellings, accessory dwellings, Conditional Uses would be for commercial.

Spencer recused himself as he is a neighbor of the so mentioned property.

Jonas provided a map for everyone to see stating the unit will have a driveway all around the unit. Jonas also said it will be one building with 32 storage units. There is an entrance through 105 and Cross Road. Tara stated there is a State permit and they will try to not use the 105 entrance. Only one entrance on Cross Road will be used and safer.

Discussion followed with concerns of traffic in entering and exiting on 105, the right of way staying as is, and the tree line between both properties. Jeff said he is keeping the cedar trees, removing all the brush and whippy trees. Spencer was concerned over the view from his home of the building and the lighting. Jeff said the lights are solar lights and would be pointing at the ground. Spencer stated the flickering on and off would be distracting to his home. Discussion followed. Peter asked if any other questions, with none being asked, he

explained the board will go in Deliberative Session taking into consideration all the comments made. He said Dianne will let them know the board's decision.

Public Hearing adjourned at 6:32 pm.

Peter introduced Bill who wants to expand the Woodshed which is on a little less than 10 acres and the expansion would be in the middle of the property. It would be an extra wing in the back of the building, he is wondering if he needs a commercial permit which is not on the website. Peter noted a state permit is required for commercial buildings. Bill showed a picture of the proposed changes and states he has some issues to take care of with this old building. He is keeping the aesthetic of the building the same. There will be 6-7 more guest rooms and staff quarters. Bill will e-mail Peter the photos he shared from his tablet. Tara suggested calling VLCT for direction on a commercial permit.

Deliberative Session:

Earline motioned to go into Deliberative Session. Nick seconded.

Peter stated Deliberation will commence at 6:42 pm Peter asked Spencer and other interested parties to exit the room. Recording had stopped and before the board commenced deliberation, Raymond wanted to make sure if there was any issue with the right of way he wanted to be notified. Peter told him as a property owner he would have to be notified by Dianne. Spencer also asked questions concerning the property tree line and the flickering solar lights. Tara asked that the recorder be turned back on as issues should have been brought up when everyone was asked if they had questions. Tara then called Jeff and put him on speaker so Spencer could state his concerns. Spencer stated he is concerned about tree line, flickering and his wellbeing. Board members suggested planting trees or some kind of light blocking curtains. Jeff said cedars will not be taken down and they will do what they can to reduce the lighting problems. Jeff said the soft trees do need to come down.

With no other comments Peter went with Earline's original motion to go into Deliberative Session which commenced at 6:52 pm

Deliberative Session ended at 7:25 pm

Earline made a motion to approve the permit as follows: Nick Seconded, the board approved unanimously.

Conditional Use Permit for Jonas Philhower and Jeff Morse was approved with the condition that a natural buffer or screening to defuse lighting at the southern corners of the rental structure as needed.

The decision specifically cites section 303.01 of the Town of Jay Regulations:

1. The proposed business is an allowable Conditional Use in Rural District 1
2. The structure shall meet all setbacks for Rural District 1.
 - a. 40-foot side yard,
 - b. 40-foot rear yard,
 - c. minimum lot size of 3 acres
 - d. 250 feet of road frontage
 - e. building height not to exceed 35 feet.

3. This decision with condition is in accordance with the Jay Town Plan section VI. To protect the unique ecological, visual, auditory, and physical characteristics of Route 242, Route 105, Cross Road, and Revoir Flats corridor. These scenic corridors shall be carefully managed because of their inherent traffic handling and topographic limitations and their environmental ambiance value. Taking in account all the above noted the Zoning Board unanimously approved the permit application with the condition of screening to diffuse lighting.

8. **Adjourn:**

Meeting adjourned at 7:30 pm

The next regular meeting of the Jay Zoning Board of Adjustments will be held at 6 p.m. on Monday October 7, 2024, at the Jay Municipal Building.

Submitted by: Liz Sargent, Board Clerk